

FILED

FEB 28 2006

CLEMA, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

Cr.S-99-0082-FCD

vs.

DETENTION ORDER
(Violation of Pretrial Release, Probation or
Supervised Release)

MARK L. HAWKINS,

Defendant.

☒ After a hearing pursuant to 18 U.S.C. § 3148 (violation of pretrial release order), the court finds:

☒ There is probable cause to believe the person has committed a federal, state or local crime while on release and the defendant has not rebutted the presumption that his release will endanger another or the community or

☐ There is clear and convincing evidence that the defendant has violated another condition of release and

☐ based on the factors set forth in 18 U.S.C. § 3142 (g) there is no condition or combination of conditions of release that will assure that the defendant will not flee or pose a danger to the safety of another person or the community or

☐ the person is unlikely to abide by any condition or combination of conditions of release. F.R.Cr.P. 32.1(a)(D), 46(c), 18 U.S.C. § 3148.

☒ Pursuant to F.R.Cr.P. 32.1(a) and 46(c) and 18 U.S.C. § 3143 (violation of probation or supervised release) the court finds defendant has not met his burden of establishing by clear and convincing evidence that he will not flee

1 or pose a danger to another person or to the community.

2 IT IS ORDERED that pursuant to 18 U.S.C. § 3142(I)(2)(4) defendant is committed to the
3 custody of the Attorney General for confinement in a corrections facility separate, to the extent
4 practicable, from persons awaiting or serving sentences or being held in custody pending appeal.
5 The defendant shall be afforded reasonable opportunity for private consultation with his counsel.
6 Upon further order of a court of the United States or request of an attorney for the United States the
7 person in charge of the corrections facility in which defendant is confined shall deliver defendant
8 to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

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Dated: 2/28/06


Dale A. Drozd,
UNITED STATES MAGISTRATE JUDGE